

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF OKLAHOMA**

IN RE:	}	
HENSLEE, JOHN ALAN, and HENSLEE,	}	Case No. 10-82080
KATHERINE ANN	}	Chapter 7
<i>Debtor(s).</i>	}	

**MOTION TO APPROVE SALE OF PROPERTY OF THE ESTATE AT PRIVATE SALE,
FREE AND CLEAR OF ALL LIENS, CLAIMS, ENCUMBRANCES AND INTERESTS,
AND NOTICE OF PROPOSED SALE**

COMES NOW Gerald R. Miller, Trustee, by and through his attorney, Gerald R. Miller, and for his Motion to Approve Sale of Property of the Estate at Private Sale, Free and Clear of all Liens, Claims, Encumbrances and Interests, states as follows:

1. The debtors filed Chapter 7 bankruptcy on November 22, 2010, in the Eastern District of Oklahoma. Included in the property of the estate was the following property:

One-third undivided interest in the following described property, to wit:
NE/4 of the SW/4 of Section 2, Township 3 South, Range 18 East, less the S/2 of the S/2 of the NE/4 of the SW/4 of Section 2, Township 3S, Range 18 East of the IBM, Pushmataha County, Oklahoma, less and except 3/4 of the oil, gas and other minerals reserved by prior grantors.

(hereinafter referred to as "Property I")

2. Donald Wall has made an offer to purchase the Debtors' interest in the above described "Property I" for the sum of \$4,000.00, and has paid a down payment of \$400 to the estate, with balance of purchase price to be paid upon approval of this motion. The Trustee believes this offer to be in the best interest of the estate, as further costs of liquidating the property will be saved.

3. The Trustee knows of no liens, claims, encumbrances, or interests of any party on Property I. The Trustee proposes to sell Property I free and clear of all liens, claims, encumbrances, or interests of any party to Donald Wall for the sum of \$4,000.00.

4. Notice is hereby given to all interested parties that if no objections are filed as set forth herein, that Gerald R. Miller, Trustee herein, pursuant to Bankruptcy Rules 2002 (a)(2) and 6004 (a)(e)(1), proposes to sell, other than in the ordinary course of business, the above described Property I to Donald Wall

for the sum of \$4,000.00, free and clear of all liens, claims, encumbrances and interests of any party.

5. The sale of the Property free and clear of any interest therein is authorized in this situation by Section 363(f) of the Bankruptcy Code.

6. The Trustee therefore requests that the Court enter an Order approving the sale of Property I herein described to Donald Wall for the sum of \$4,000.00, free and clear of all liens, claims, encumbrances and interests of any party, upon receipt of the balance of sale proceeds from Donald Wall in the amount of \$3,600.00.

7. The estate also contained the following described real property, to wit:

One-third undivided interest in the following described property, to wit:
N/2 NE/4, Section 3, Township 4S, Range 19E, Pushmataha County, State of Oklahoma

(hereinafter referred to as "Property II")

8. Donald Wall has made an offer to purchase the Debtors' interest in the above described Property II" for the sum of \$15,500.00, and has paid a down payment of \$1,550 to the estate, with balance of purchase price to be paid upon approval of this motion. The Trustee believes this offer to be in the best interest of the estate, as further costs of liquidating the property will be saved.

9. Tony Wall may be claiming some right, title, or interest in Property II; however, does not have any recorded title interest in Property II. The Trustee therefore proposes to sell Property II free and clear of all liens, claims, encumbrances, or interests of any party, including any interest of Tony Wall, to Donald Wall for the sum of \$15,500.00.

10. Notice is hereby given to all interested parties that if no objections are filed as set forth herein, that Gerald R. Miller, Trustee herein, pursuant to Bankruptcy Rules 2002 (a)(2) and 6004 (a)(e)(1), proposes to sell, other than in the ordinary course of business, the above described Property II to Donald Wall for the sum of \$15,500.00, free and clear of all liens, claims, encumbrances and interests of any party, including any interest of Tony Wall.

11. The sale of the Property free and clear of any interest therein is authorized in this situation by Section 363(f) of the Bankruptcy Code.

12. The Trustee therefore requests that the Court enter an Order approving the sale of Property II herein described to Donald Wall for the sum of \$15,500.00, free and clear of all liens, claims, encumbrances and interests of any party, including any interest of Tony Wall, upon receipt of the balance of the sale proceeds from Donald Wall in the amount of \$13,950.00.

WHEREFORE, the Trustee prays that Court approve the sale of the following described Property, to wit:

One-third undivided interest in the following described property, to wit:
NE/4 of the SW/4 of Section 2, Township 3 South, Range 18 East, less the S/2 of the S/2 of the NE/4 of the SW/4 of Section 2, Township 3S, Range 18 East of the IBM, Pushmataha County, Oklahoma, less and except 3/4 of the oil, gas and other minerals reserved by prior grantee

free and clear of all liens, claims, encumbrances, or interests of any party, to Donald Wall for the sum of \$4,000.00, upon receipt of the balance of sale proceeds from Donald Wall in the amount of \$3,600.00.

Further, that the Court approve the sale of the following described Property, to wit:

One-third undivided interest in the following described property, to wit:
N/2 NE/4, Section 3, Township 4S, Range 19E, Pushmataha County, State of Oklahoma

to Donald Wall for the sum of \$15,500.00, free and clear of all liens, claims, encumbrances and interests of any party, including any interest of Tony Wall, upon receipt of the balance of the sale proceeds from Donald Wall in the amount of \$13,950.00.

s/Gerald R. Miller
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